The Corporation of the District of North Cowichan

Zoning Amendment Bylaw (Bell McKinnon North Village Comprehensive Development) Zone

BYLAW NO. 4095

A bylaw to amend Zoning Bylaw 1997, No. 2950 to add a new Comprehensive Development Zone (CD29) and reclassify 6823-6833 Bell McKinnon Road and 2850 Herd Road from Bell Mckinnon Rural Residential Zone (R1-BM) and Rural Zone (A2) to Bell McKinnon North Village Comprehensive Development Zone (CD29)

The Council of The Corporation of The District of North Cowichan, enacts in open meeting assembled, as follows:

Citation

1 This Bylaw may be cited as "*Zoning Amendment Bylaw No. 4095, 2026*".

Amendment

2 Zoning Bylaw 1997, No. 2950, Part 3 – Definitions, Section 12 is amended by striking out the definition of "live-work studio" and replacing it with the following:

"**"live-work studio"** means a dwelling unit in a multi-storey building that includes space for the operation of an artisan studio, child care centre, personal service, office or professional office located on the ground floor with a residential area accessed through the commercial space and located above or behind the commercial space."

3 Zoning Bylaw 1997, No. 2950, Part 3 – Definitions, Section 12 is amended by inserting the following definition:

"**"semi-public space"** means a privately owned area that is reasonably open and accessible to the public for shared use and enjoyment. Common examples include public squares, plazas, courtyards."

4 Zoning Bylaw 1997, No. 2950, Section 37.1 [Fences], (8) [*Fence Height Restrictions by zone and yard location]* is amended by adding the following after CD28:

Zone	Name	Yard, Front	Yard, Side	Yard, Rear
CD29	Bell McKinnon North Village CDZ	1.2 m	2.0 m	2.0 m
		No fences over 1.2 m in any yard that abuts public property, a highway, or lane.		

5 Zoning Bylaw 1997, No. 2950, Part 5 – Zones, Division 1 [Establishment of Zones], Section 43 [Zones] is amended by adding "Bell McKinnon North Village Comprehensive Development Zone (CD29)".

6 Zoning Bylaw 1997, No. 2950, is amended by inserting the following after Section 80.28:

"Bell McKinnon Comprehensive Development Zone (CD29)

Permitted Uses

80.29

(1) The permitted uses for Area 1 and Area 2 of the CD29 zone, as shown on Schedule I-5, attached to and forming part of this bylaw, are as follows:

(a) In Area 1:

(i) Artisan Studio
(ii) Assembly Hall
(iii) Brew Pub
(iv) Club
(v) Night Club
(vi) Commercial Use
(vii) Community Hall
(viii) Craft or Artisan Distillery
(ix) Child Care Centre
(x) Dry Cleaner
(xi) Entertainment Use
(xii) Fitness Centre / Gymnasium
(xiii) Gallery
(xiv) Hotel
(xv) Health Service
(xvi) Laundromat
(xvii) Medical Laboratory
(xviii) Mixed Use Building
(xix) Mobile Food Service
(xx) Personal Care Use
(xxi) Pub
(xxii) Recreational Facility
(xxiii) Restaurant
(xxiv) Commercial School
(xxv) Independent School
(xxvi) Veterinary Clinic

(b) In Area 2:

(i) Community Care Facility
(ii) Child Care Centre
(iii) Dining Room
(iv) Entertainment Use
(v) Limited home-based business
(vi) Live-Work Studio

(vii) Multi-Family Residence
(viii) Mixed-Use Building
(ix) Mobile Food Service
(x) Personal Service
(xi) Pub
(xii) Recreation Facility Small Scale
(xiii) Retail Store
(xiv) Tea Room

Minimum Lot Size

(2) The minimum lot size for the CD29 zone is 640 m^2

Maximum Density and Building Height

(3) The maximum permitted floor space ratio is 1.5:1 with a maximum building height of 12 m.

(a) Despite subsection (3) the maximum floor space ratio is 2.0:1 with a maximum building height of 24 m if 70% or more of the total off-street parking spaces, excluding visitor spaces, are provided underground or within a parkade.

(b) Despite subsection (3) the maximum floor space ratio is 2.5:1 with a maximum building height of 24 m if 100% of the total off-street parking spaces, excluding visitor spaces, are provided underground or within a parkade.

(4) For the purpose of calculating floor space ratio, floor area used for parking that is located below finished grade is excluded from gross floor area calculations.

(5) The ground floor of buildings containing commercial uses must have a minimum ceiling height of 4.5 m (from floor to floor).

(6) The minimum building height is 9.0 m. Portions of a building may be less than 9.0 m in height.

(7) Despite the definition of "height" under Section 12, parapets not exceeding 1.5 metres in height and rooftop structures proposed as part of an amenity space are exempt from maximum building height.

Maximum Lot Coverage

(8) The maximum permitted lot coverage for Area 1 is 65% of the lot area.

(9) The maximum permitted lot coverage for Area 2 is 55% of the lot area.

Minimum Setbacks

(10) Minimum building setback provisions for the CD29 zone are as follows:
(a) Area 1:Yard, Front, Side and Rear 0.0 m.

(b) Area 2:
(i) Yard, Front, 0.0 m.
(ii) Yard, Side and Rear, 3.0 m.
(iii) Yard, Side and Rear when adjacent to a lane or street 0.0 m.

(11) The fifth and subsequent storeys of a building must be stepped back (terraced) a minimum of 3.0 m from the below building façade where that façade is directly

adjacent and parallel to a lane or a street.

Maximum Setbacks

(12) Maximum building setback provisions for the CD29 zone are applied to frontages adjacent to Bell McKinnon Road, Bullrush Street and Herd Road as follows:

(a) Area 1:
  (i) Yard, Front, Side, and Rear when adjacent to a lane or a street, 3.0 m.
(b) Area 2:
  (i) Yard, Front, Side, and Rear when adjacent to a lane or a street, 4.0 m.

(13) Despite the foregoing, when a semi-public space is provided between a building and a street, the maximum building setback shall be measured from the edge of the semi-public space.

Minimum Private Amenity Spaces

(14) 5 m^2 of private amenity space with minimum horizontal dimensions of 2.0 m must be provided for each dwelling unit above the first storey.

(15) 10 m^2 of private amenity space with minimum horizontal dimensions of 3.0 m must be provided for each first storey dwelling unit.

Landscaped Open Space

(16) A minimum landscaped open space for the CD29 zone is 30% of the lot area.

Off-street Parking

(17) Despite Section 21 (1), a minimum of 1 parking space per dwelling unit, plus visitor parking equal to 10% of the total number of dwelling units, is required.

(18) Off-street parking is not permitted in front or exterior side yards.

(19) Class 1 Bicycle spaces are required as follows:
(a) 1 space per dwelling unit;
(b) 1 space per 2 classrooms;
(c) 1 space per 200 m^2 of GFA for office uses;
(d) 1 space per 500 m^2 of GFA for all other commercial uses; and
(e) A minimum of 10% of all required bicycle parking spaces must be designed to accommodate non-standard bicycles and have minimum dimensions of 3.0 m x 0.9 m.

(20) Class 2 Bicycle spaces are required as follows:
(a) 0.10 spaces per dwelling unit;
(b) 1 space per classroom;
(c) 0.20 spaces per 200 m^2 of GFA for office uses;
(d) 1 space per 500 m^2 of GFA for all other commercial uses; and
(e) 1 space per 3 live-work units.

Conditions of Use

(21) The conditions of use for the CD29 zone are as follows:

(a) A maximum of two mixed use buildings is permitted within Area 2, one of which is limited to a maximum gross floor area of 250 m^2.

(b) Despite the definition "mixed use building" under section 12, the following provisions apply within Area 2:

(i) Residential uses and live-work studios are permitted on the ground floor of a mixed use building.

(ii) Live-work studios are the only non-residential use permitted above the ground floor.

(c) Overhangs for weather protection are required at all building entrances and access points, and along the full frontage of retail uses.

(d) A minimum of 80% of the lot frontage must be occupied by buildings, semi-public spaces, pedestrian access, or vehicle access.

(e) Drive-through restaurants and drive-through retail uses are prohibited.

Area Boundaries

(22) The Areas and Area boundaries for the CD29 zone shall be set out in Schedule I-5.

7 Zoning Bylaw 1997, No. 2950 is amended by inserting Schedule I-5 as shown on Schedule 1 attached to and forming part of this bylaw.

8 Zoning Bylaw 1997, No. 2950 Schedule "C" be amended by reclassifying 6823-6833 Bell McKinnon Road (PID:006-341-616) from Bell McKinnon Residential Rural Zone (R1-BM) and 2850 Herd Road (PID: 006-095-674) from Rural Zone (A2) to Bell McKinnon North Village Comprehensive Development Zone (CD29), as shown on Schedule 2 attached and forming part of this bylaw.

_____

Notice that a public hearing *must not be held* for this bylaw was posted to the municipality's public notice board and on the municipality's website on _____, 202_, and advertised on the municipality's social media site on _____, 202_, and in the Cowichan Valley Citizen [if applicable, and the Chemainus Valley Courier] on _____, 202_.
READ a first time on
READ a second time on
READ a third time on _____.
RECEIVED the approval of the Minister of Transportation and Transit on _____.
COVENANT(S) registered on _____.
ADOPTED on _____.

CORPORATE OFFICER

PRESIDING MEMBER

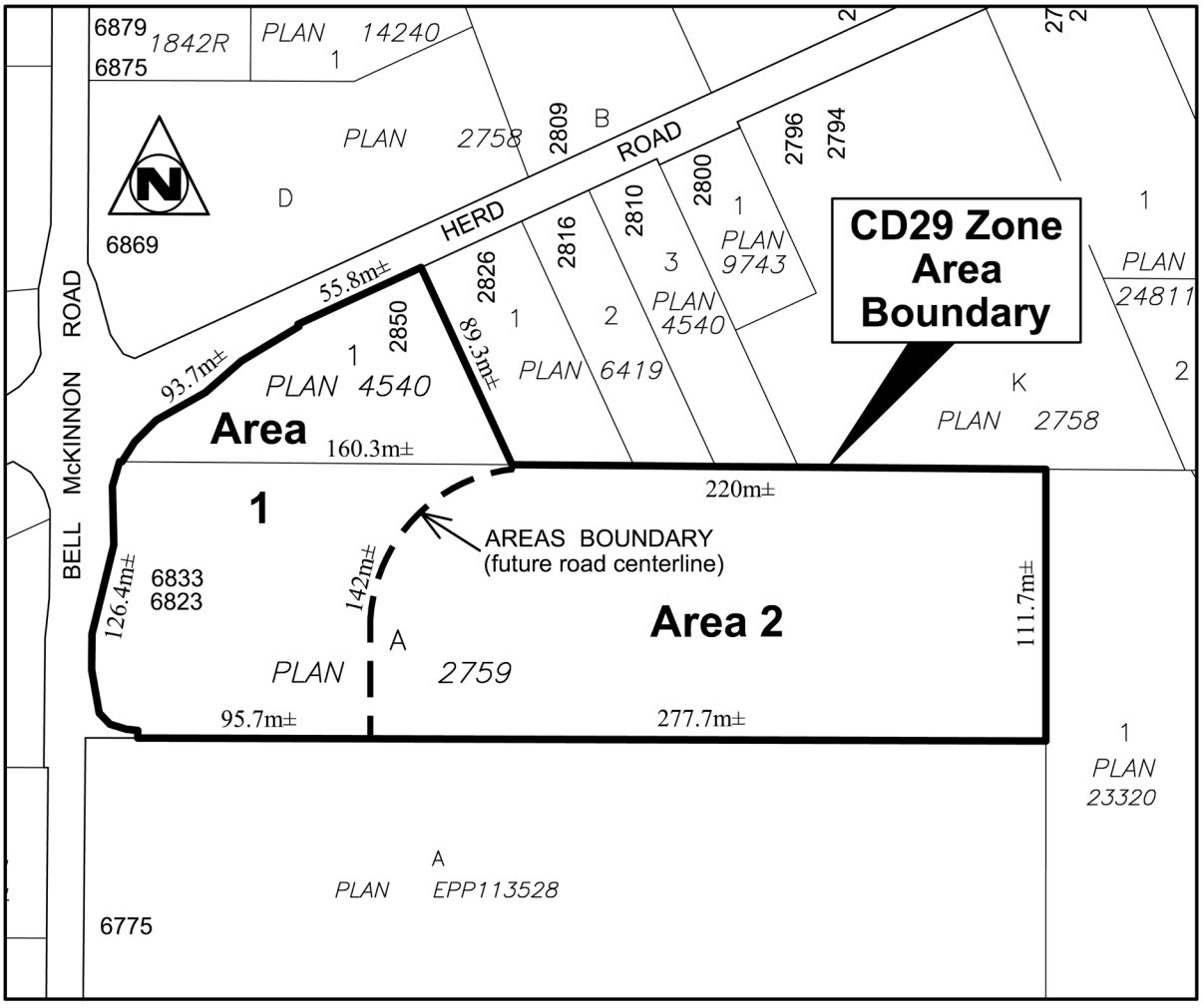
Schedule "1" to accompany
"Zoning Amendment Bylaw No. 4095, 2026".

Presiding Member

Corporate Officer

SCHEDULE 1

SCHEDULE "I-5"



Schedule “2” to accompany “Zoning Amendment Bylaw No. 4095, 2026”.

Presiding Member

Corporate Officer

SCHEDULE 2

